IN THE CLAIMS

Please amend the claims as follows:

Claim 1-3 (Canceled).

Claim 4 (Currently Amended): A radio control device for controlling a plurality of base stations, comprising:

a plurality of channelization code selection means for ~~sequentially~~ selecting, in the following order, a channelization code for a mobile station from

(1) a first set of channelization codes belonging to a primary scrambling code in a cell of a first frequency,

(2) a first set of channelization codes belonging to a primary scrambling code in a cell of a second frequency, [[or]]

(3) a second set of channelization codes belonging to a secondary scrambling code in the cell of the first frequency, or

(4) a second set of channelization codes belonging to a secondary scrambling code in the cell of the second frequency; and

assignment means for assigning a selected channelization code to the mobile station~~, one of said channelization code selection means associated with a respective one of a plurality of frequency bands~~;

~~determination means for determining whether to select a channelization code from the second set of channelization codes if selection from the first set of channelization codes was not successful; and~~

~~control means for controlling the plurality of channelization code selection means to select a channelization code from the second set of channelization codes if selection from the first set of channelization codes was not successful~~.

Claim 5 (Previously Presented): The radio control device according to claim 4, wherein each frequency band is associated with a plurality of channelization code trees generated by OVSF (Orthogonal Variable Spreading Factor), and the first set of codes is a first code tree and the second set of codes is a second code tree.

Claim 6 (Previously Presented): The radio control device according to claim 4, wherein the plurality of frequency bands are each assigned to a respective cell.

Claim 7 (Previously Presented): The radio control device according to claim 4, wherein the plurality of frequency bands are each assigned to a respective sector.

Claim 8 (Previously Presented): The radio control device according to claim 6, wherein at least two cells overlap in space.

Claim 9 (Canceled).

Claim 10 (Currently Amended): A method of selecting a channelization code, comprising:

~~sequentially~~ selecting, in the following order, a channelization code for a mobile station from

(1) a first set of channelization codes belonging to a primary scrambling code in a cell of a first frequency,

(2) a first set of channelization codes belonging to a primary scrambling code in a cell of a second frequency,

(3) a second set of channelization codes belonging to a secondary scrambling code in the cell of the first frequency, or

(4) a second set of channelization codes belonging to a secondary scrambling code in the cell of the second frequency; and ~~, each sequential selection thereof associated with a respective one of a plurality of frequency bands;~~

~~determining whether to select a channelization code from a second set of channelization codes if selection from the first set of channelization codes was not successful; and~~

~~selecting a channelization code from the second set of channelization codes if selection from the first set of channelization codes was not successful; and~~

assigning a selected channelization code to a mobile station.

Claim 11 (Currently Amended): A radio control device configured to control a plurality of base stations, comprising:

a plurality of channelization code selection units configured to ~~sequentially~~ select, in the following order, a channelization code for a mobile station from

(1) a first set of channelization codes belonging to a primary scrambling code in a cell of a first frequency,

(2) a first set of channelization codes belonging to a primary scrambling code in a cell of a second frequency, [[or]]

(3) a second set of channelization codes belonging to a secondary scrambling code in the cell of the first frequency, or

(4) a second set of channelization codes belonging to a secondary scrambling code in the cell of the second frequency; and

an assignment unit configured to assign a selected channelization code to the mobile station ~~, one of said channelization code selection units associated with a respective one of a plurality of frequency bands;~~

~~a determination unit configured to determine whether to select a channelization code from the second set of channelization codes if selection from the first set of channelization codes was not successful; and~~

~~a control unit configured to control the plurality of channelization code selection units to select a channelization code from the second set of channelization codes if selection from the first set of channelization codes was not successful~~.

Claim 12 (Previously Presented): The radio control device according to claim 10, wherein each frequency band is associated with a plurality of channelization code trees generated by OVSF (Orthogonal Variable Spreading Factor), wherein the first set of codes is a first code tree and the second set of codes is a second code tree.

Claim 13 (Previously Presented): The radio control device according to claim 10, wherein the plurality of frequency bands are comprised of a plurality of cells.

Claim 14 (Previously Presented): The radio control device according to claim 10, wherein the plurality of frequency bands are comprised of a plurality of sectors.

Claim 15 (Previously Presented): The radio control device according to claim 13, wherein at least two of the cells overlap in space.

Claim 16 (Previously Presented): The radio control device according to claim 10, wherein the first set of channelization codes is a set of primary codes and the second set of channelization codes is a set of secondary codes.